

**REMARKS**

Claims 1-4 and 10-17 are pending in the application. Claim 1 is amended above. As to amended Claim 1, see, e.g., original Claims 5-6; and the specification at page 6, lines 7-9. Claims 5-6 are canceled without prejudice or disclaimer.

Claims 1-6 and 11-17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz in view of Rafii. The Examiner admits that Swartz fails to disclose a positioning system and an integrated projector and camera assembly.

Applicants respectfully traverse the obviousness rejection.

The Examiner admits that Swartz does not disclose Applicants' claimed positioning system. Moreover, Rafii fails to supply this deficiency. The parts of Rafii that the Examiner cites in the office action at page 3 do not teach Applicants' claimed positioning system. Rather, Rafii has no teaching of positioning the virtual keyboard beyond that of the user deciding to direct the device in a certain direction. Rafii fails to teach a "positioning system" that "receives location information that the remote activator device transmits to the positioning system" or "a positioning algorithm to determine where and how to find a blank surface" as in Applicants' Claim 1.

Even with both references, a person of ordinary skill in the art still does not have suggested to him the presently claimed invention: under the Examiner's theory, a person of ordinary skill in the art modifies Swartz (titled "Self-service checkout...") in the direction of using Rafii's virtual input device but the customer still would perform his self-service check-out in a preestablished check-out area with preestablished usable surfaces. In the Examiner's theory of using Rafii to modify Swartz, the person of ordinary skill in the art would construct a self-service check-out system in which the store would provide a preestablished surface area in a check-out area and the customer would need only use minimal common sense to point the Rafii-type virtual input device at an evident work surface. There is no teaching in Swartz or Rafii of a customer checking-out other than in a preestablished checkout area. The Examiner's theory assumes a preestablished self-service checkout area. A positioning system recited in Applicants' Claim 1 is

lacking from the references, and moreover a person of ordinary skill in the art operating under the Examiner's theory would lack motivation to think in that direction of the missing positioning system.

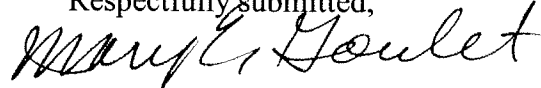
Also, Swartz fails to disclose "a virtual keyboard through which the sales associate enters the sales associate's system ID and Password to ensure that system security is maintained" as in Applicants' Claim 1. Nor does Rafii supply this deficiency. Under the Examiner's theory (in which a person of ordinary skill in the art modifies Swartz self-service checkout to use a virtual keyboard according to Rafii through which to receive customer self-service input), the person of ordinary skill in the art would lack reason to think in terms of a virtual keyboard through which the sales associate's system ID and Password is entered, because Swartz' self-service system assumes the opposite.

Reconsideration and withdrawal of the obviousness rejection are respectfully sought.

In view of the foregoing, Applicant submits that Claims 1-4 and 10-17 are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed.

Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Applicants' Deposit Account No. 50-0510 (IBM Corporation).

Respectfully submitted,



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